

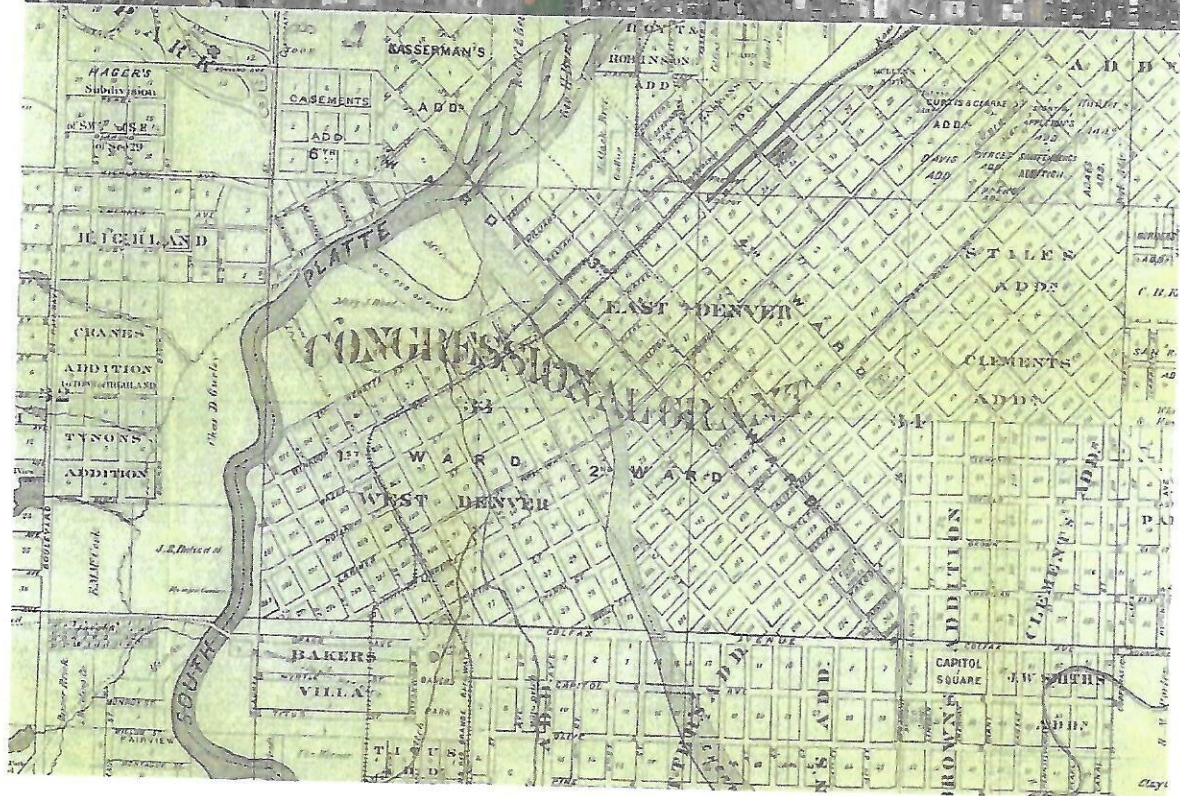
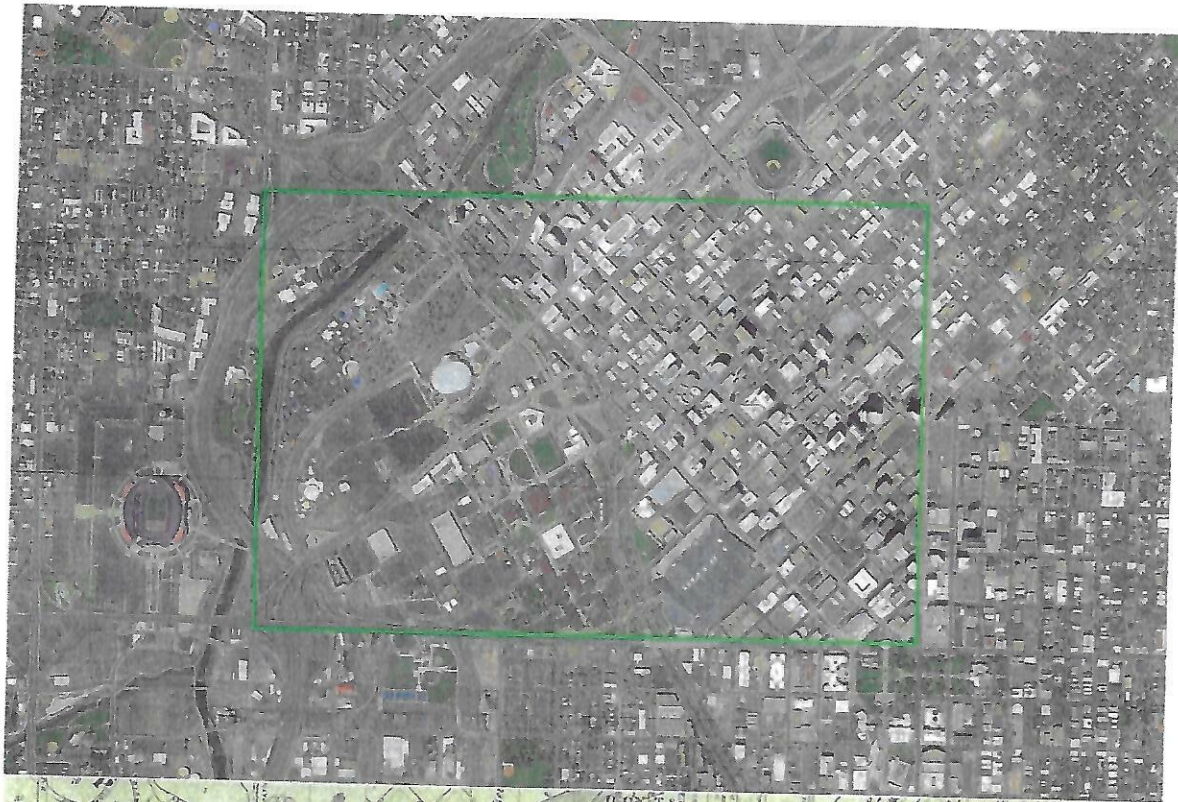
This information was put together by Denver Infill. *History of Denver* by Jerome Smiley is the 1000 page book I downloaded from the Denver Public Library.

The Congressional Grant of 1864

Denver was founded in 1858. Both the Auraria Town Company (west of Cherry Creek) and the Denver City Town Company (east of Cherry Creek) platted out their respective streets and blocks and sold lots to prospective home owners and business owners looking to settle and build in the fledgling community. One big problem: neither town company had title to the land they were selling. The solution was the Congressional Grant of 1864, which conveyed to Denver (and those who had acquired lots in the city) clear title to the land within a 960-acre (1 mile by 1.5 mile) rectangle of land encompassing most of the original Auraria and Denver City town plats. Jerome Smiley, author of the definitive *History of Denver* (1901), put it this way:

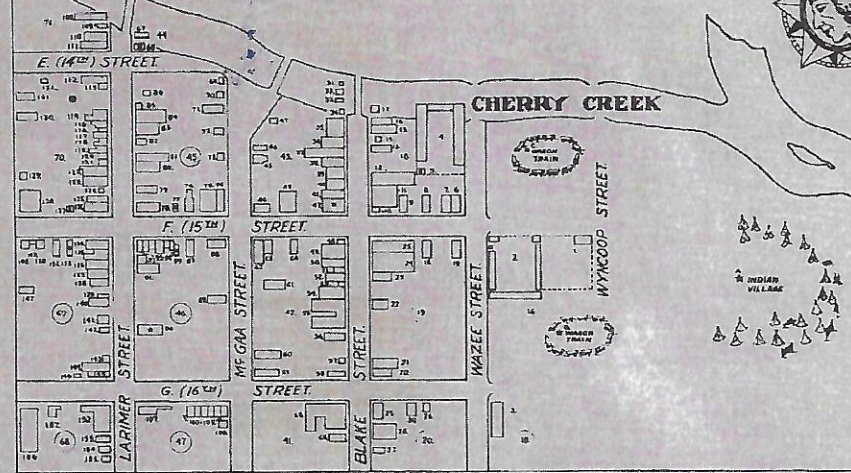
It is to be remembered while we are considering the affairs of these Town Companies that none of them had any valid title to the soil on which their operations were carried forward. All of them were merely squatters on land to which the Indians had the first claim under the conditions then existing. Later, in giving lots to all who would build on them, or in donating lots to first-born children, or to this or that especially worthy citizen; or in keeping a liberal share for themselves, these excellent and enterprising men were dealing with things which they did not, legally, own; nor was it any better if they sold a lot for cash. As this was Indian land not open to entry, no title could be acquired to it through the ordinary operation of the land laws of the United States. This was the legal aspect of the situation; and in theory, at least; it remained so until, in 1861, a treaty was made at Bent's Fort pursuant to a resolution of the United States Senate, with the Cheyenne and Arapahoe Indians, under which they ceded all their lands "in the Pike's Peak region" to the United States. This was done as part of the proceedings in organizing a new Territory here, but it did not give title to these town companies. Prior to that extinguishment of Indian title and, as a matter of fact, for some time afterward, possession and improvement of the town lots carried title of right that was maintained with guns upon occasion; though it was not until Congress enacted the law of May 28, 1864, "for the relief of the citizens of Denver," and making what is known in real estate annals as "the Congressional grant," that these defective titles growing out of the irregular proceedings of the founders of Denver, were confirmed and made good.

The Congressional Grant covers the area bounded at its corners by the intersections of 26th and Zuni in the northwest, Park Avenue and Broadway in the northeast, Colfax and Broadway in the southeast, and—the northwestern corner of the historic Ironworks building at 25 Larimer in the southwest. Below I've outlined the Congressional Grant boundaries on a current aerial, paired with the cropped center section of Thayer's Map of Denver of 1879 (courtesy {HYPERLINK "[http://digital.denverlibrary.org/cdm/maps/"\t "_blank"}>\). Block 284 in the far southwestern corner of the Congressional Grant is part of the Meow Wolf Denver site.](http://digital.denverlibrary.org/cdm/maps/)



DENVER CITY 1860

NORTH OF CHERRY CREEK
KEY MAP OF MODEL



LEGEND

DENVER

DENVER

DENVER

1. A. Chapman's Arapaho Village, undisturbed, were typical of Arapaho life.
2. D. and C. Wagon Trains in Corral.
3. Emergent Corral, opened by John Lamm and Howard, later owned by Tass and Post.
4. 12 City Hospital, opened by Dr. J.F. Hamilton and O.D. Cass. Later Hotel for invalids; then the Buffalo House.
5. 12 City Hotel, mentioned by Wm. H. Byers.
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100. 12 City Hotel, mentioned by Wm. H. Byers.

Walter L. Moze 1930

SOUTH OF CHERRY CREEK
KEY MAP OF MODEL



AURARIA

and Walters)

HIGHLAND

AURARIA

- # AURARIA
31. Pioneer Stable, (Teels, and Wilers.)
 32. Sigmond and Loh, double corner First Masonic Meeting Dec. 1858
 33. Hunt and Clark, Livary Stable
 34. W. H. and B. B. Company, and others undivided
 35. C. H. Moore and Company, Lumber Yard
 36. Lundt Richardson and Company, Wagon Makers
 37. Elliffhays and Company, First Coal Yard
 38. Wells and Sons, Real Estate Agents
 39. Douglas and Duvor, Carpenters and Siders
 40. W. D. Herndon, Auction Merchant
 41. Moody and Mercier, Lumber Yard
 42. Trauman B. Crocker, Assistant
 43. Jacob Adair, Residence (First Sunday School Organized here March 1858)
 44. May and Kline, Placing Mill First Steam Mill, Denver
 45. Rocky Mountain Herald Office (Suprema and District Court Clerks second floor)
 46. W. Dodge, Restaurant
 47. John Brown and Company, Freighters
 - 48-104. Undivided Cabins
 105. John Crowley, Horse-shoe and Ferris
 106. C. H. Wells, Residence
 107. Undivided, Boarding House
 108. First City Hall
 109. First Denver House, Second City first dry goods house, upper ground floor, House to contain 10000 lbs. of goods
 110. Log Cabin built by Wm H. Boyer, third home of Rocky Mountain House as it was called, was burned by fireman of Rocky Mountain News winter of 1859-60, 1st home of Rocky Mountain News
 111. Law Office of Judge James Hurlbut and Judge Hiram P. Bennett, located in the Home of Rocky Mountain News (first home of Rocky Mountain News) of 1860
 112. Earl Brothers (Music Hall)
 113. Brown and Clercy, Lawyers
 114. Ches. Simola First building for Regular Methodist Church Service
 115. Hawtins and Wicks, Metallurgical and Battery
 116. Bullfinch Meat Market
 117. First Park Hotel, (first location Henderson)
 118. Wm. Brown, later later, (the American House, Denver, also was burned and later American House, Denver, side)
 119. Jacob Downing, Lawyer
 120. Judge Hiram P. Bennett's second location (First location was near the Old Blake and Brown Company)
 121. The Colorado Hotel
 122. H. C. Brown's first Carpenters Shop, later rented by the Minnists, first location, then burned, built the Brown Palace Hotel and donated the Site of the State Capital Building.
 123. 123-124. Lath and Plank, Elizabeth
- * First bridge across Cherry Creek from which carmenists were built, bridging Denver City and Auraria. Built of April 5, 1857
- * First Ferry, located at Hannif Ferry Street
- * First Cistern, located at 1st and Cherry Street
- * Hanging tree, located at 3rd and San Luis Street

AURARIA

A reputed "tittle" was acquired by the Auraria Town Company, from John S. Smith, Wm. McGee, alias Jack Jones, and Nicholas J. Mass, all old Indian traders who claimed "ranchos" on the site by nominal virtue of marriage to the Indian wives. They gave possession to the Auraria Town Company about Nov. 1, 1858.

MODEL of AURARIA and DENVER CITY in 1860
Constructed from data selected and supplied by
Edgar C McMechen.

Buildings and base by

Allen L. Evans.	James Slack
Stanley R. Poofs.	Benned Wmkle.
Arthur E. Hoyer.	Andrew Willison
Arthur Jack	Myrlin Fallis.
A.A. Boorman.	Barl Mosch.

DENVER CITY

On September 24, 1858, the Lawrence Party from Kansas, organized the St. Charles Town Company and claimed 640 acres on the east bank of Cherry Creek. This site was "jumped" November 17, 1858 by General William Larimer's Party from Leavenworth and named Denver City.



AURARIA TOWN COMPANY.

ORIGINAL SHARE, NO. 59 CERTIFICATE, NO. 1

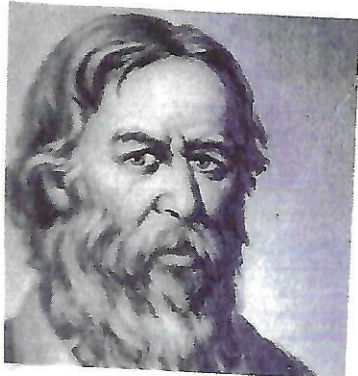
THIS IS TO CERTIFY, That *A.D. Hoage*
the owner of ONE FOURTH OF ONE ORIGINAL SHARE in
the Capital Stock of the AURARIA TOWN COMPANY, which entitles the
owner of this Certificate to Four Lots in the Town of Auraria, to be drawn
under such Rules and Regulations as may be prescribed by said Company.
No Transfer recognized unless endorsed by the Secretary and recorded
in the books of the Company.

Given by Authority, at the office of said Company in Auraria, this *14th*
A.D. 1859.

John H. Gregory
Secretary.

W.A. McLaughlin
President.

ISLAND MOUNTAINS: Nestled
at the foothills was Auraria, seen in
early 1880s (top) with the dry bed of
Clear Creek in the foreground and the
South Platte in the background; in 1859,
the (above) were issued in the capital
of Auraria Town Company. Also in
1859, John H. Gregory (below) discovered
gold in Clear Creek Canyon, which lured
9000 miners into the mountains.



formed the Denver City Town Company. They platted the streets to parallel the river and the creek in an ambitious grid of 345 blocks, each divided into 32 lots 25 feet wide and 125 feet deep.

Larimer's dreams soon outgrew even this gigantic grid. On December 14, 1858, he waded across the icy South Platte and staked out the town of Highland. On the hill east of Denver, Larimer and his son Will mapped out another addition. Although Larimer had boasted that Denver's salubrious climate would revive even those on the edge of the grave, he and Will staked out Mount Prospect Cemetery. Soil was soon broken in this pioneer boneyard for gunshot victims and their murderers—in case the vigilantes caught them. (Today most of the bones are gone from the site of today's Denver Botanic Gardens and Cheesman Park.)

When the Russells returned in May of '59 with more Georgians, they found General Larimer, a Yankee, in charge. They also discovered that Auraria, formerly the larger settlement, was losing population and business to Larimer's Denver City Town Company. Denver's supremacy had been established when the first stagecoach came in the spring of '59. Hotels, saloons and other Auraria businesses crossed the

creek to Denver to huddle around the stage depot built on a site donated by Larimer.

Green did not linger in Auraria but took his men prospecting up Clear Creek Canyon. The Georgians found it flooded with 10,000 argonauts and Horace Greeley, editor of the *New York Tribune*. From the rumor-ridden swarm of miners, Green learned that the diggings had been a bust until a Georgian by the name of John H. Gregory found gold on the North Fork of Clear Creek in February. By June, the hasty rise of Central City, Blackhawk, Nevadaville and other camps and towns made Gregory Gulch the most populous settlement in the Rockies.

Green sought out Gregory and found an illiterate, smelly character, a shaggy-headed, wild-eyed "cracker." Sudden wealth had excited Gregory. He wandered around muttering such things as, "Now my wife can be a lady and my young'uns can git educated." Then he sold his discovery claim and disappeared.

Other prospectors flocked around the Front Range like miller moths around a candle in June. Camps and towns popped up on Boulder Creek and on the headwaters of the South Platte and the Arkansas. Their gold gravitated to Denver where miners sold it to the Clark, Gruber and Company mint or shipped it east on the stage.

Four miles southwest of Gregory Gulch, Green found paydirt in Russell

Department of State,
Washington, August 12th 1861.

William P. Dole, Esq.
Commissioner of Indian Affairs.

Sir,

The enclosed "Articles of Agreement and Convention" between the United States and the Confederate tribes of Arapahoe and Cheyenne Indians of the Upper Arkansas River, and the ratification thereof by the Senate, with an amendment, striking out the eleventh article, has been sent to this Department by the Secretary of the Senate. But as it does not appear from the face of the paper that the amendment referred to, has been agreed to by the Indian tribes concerned, through their proper representatives, it is herewith sent to the Indian Office, in order that that requisite may be complied with.

I am, Sir,

Your obedient servant,

Frederic W. Seward
Assistant Secretary